



RCE

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Commissioner for Patents  
**Box RCE**  
Washington, DC 20231

Application Number	09/421,629
Filing Date	October 19, 1999
First Named Inventor	Jay M. Short
Art Unit	1652
Examiner Name	N. Nashed
Attorney Docket Number	DIVER1260-3

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

- a. ☒ Previously submitted:
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on May 15, 2002.  
(Any unentered amendment(s) referred to above will be entered).
  - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
  - iii. ☐ Other: \_\_\_\_\_
- b. ☒ Enclosed:
- i. ☐ Amendment/Reply
  - ii. ☐ Affidavit(s)/Declaration(s)
  - iii. ☐ Information Disclosure Statement (IDS)
  - iv. ☒ Other: Petition for Five (5) Months Extension of Time

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☒ Other: Transmittal Sheet

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the Total Fee of \$1,475.00; which consists of \$395.00 for the RCE filing fee, and \$1,080.00 for the Five (5) Months Extension of Time fee, or may charge for any additional required fees, or credit any overpayments to Deposit Account No. 07-1896.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
  - ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
  - iii. ☐ Other: \_\_\_\_\_
- b. ☒ Checks total in the amount of \$ 1,475.00
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Lisa A. Haile, J.D., Ph.D.	Registration No. (Attorney/Agent)	38,347
Signature		Date	January 18, 2005

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop: RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type)	Lisa E. Jambeau	Date	January 18, 2005
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Alexandria, VA 22313. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop: RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.